

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SIMO HOLDINGS INC.,

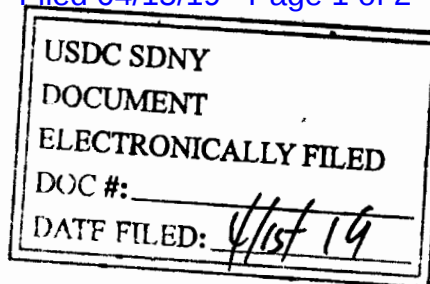
Plaintiff,

-against-

HONG KONG UCLOUDLINK NETWORK  
TECHNOLOGY LIMITED and  
UCLOUDLINK (AMERICA), LTD.,

Defendants.

JED S. RAKOFF, U.S.D.J.



18-cv-5427 (JSR)

ORDER

In this patent infringement action, plaintiff SIMO Holdings Inc. ("SIMO") and defendants Hong Kong uCloudlink Network Technology Limited and uCloudlink (America), Ltd. (collectively, "uCloudlink") cross-moved for summary judgment. Based upon the briefing and oral argument, the Court hereby rules as follows:

SIMO's motion for summary judgment of infringement of claims 8 and 11 of Patent No. 9,736,689 is granted. uCloudlink's motion for summary judgment of non-infringement as to all claims is correspondingly denied.

SIMO's motion for partial summary judgment of validity is granted to the extent of ruling that the Kasper reference does not constitute prior art.

uCloudlink's motion for summary judgment of no pre-suit damages is granted to the extent that SIMO is deemed to have given

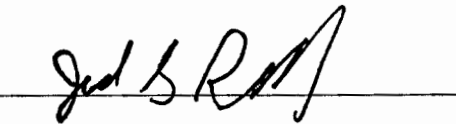
actual notice of infringement as to the G2, G3, and U2 devices on August 13, 2018, and as to the S1 device on August 20, 2018.

An Opinion explaining the reasons for these rulings will issue in due course.

SO ORDERED.

Dated: New York, NY

April 12, 2019

A handwritten signature in black ink, appearing to read "Jed S. Rakoff", is written over a horizontal line.

JED S. RAKOFF, U.S.D.J.